

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DATA CARRIERS, LLC,
Plaintiff,

v.

HEWLETT-PACKARD COMPANY,
Defendant.

C.A. No. 12-334-LPS

STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

Plaintiff Data Carriers, LLC (“Plaintiff”) and Defendant Hewlett-Packard Company (“Defendant”) pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all Plaintiff’s claims in this action WITH PREJUDICE and all Defendant’s claims in this action WITHOUT PREJUDICE, subject to the terms of that certain agreement entitled “SETTLEMENT AND LICENSE AGREEMENT” and dated February 27, 2013, with each party to bear its own costs, expenses and attorneys’ fees.

Dated: April 8, 2013

BAYARD, P.A.

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ORDER OF DISMISSAL

CAME ON THIS DAY for consideration of the Stipulated Motion for Dismissal With Prejudice of all claims by Plaintiff Data Carriers, LLC (“Plaintiff”) and Dismissal Without Prejudice of all counterclaims by Defendant Hewlett-Packard Company (“Defendant”) in this case, and the Court being of the opinion that said motion should be GRANTED, it is hereby ORDERED, ADJUDGED AND DECREED that all claims asserted in this suit by Plaintiff against Defendant are hereby DISMISSED WITH PREJUDICE, and all counterclaims by Defendant against Plaintiff are hereby DISMISSED WITHOUT PREJUDICE, subject to the terms of that certain agreement entitled “SETTLEMENT AND LICENSE AGREEMENT” and dated February 27, 2013.

It is further ORDERED that all attorneys’ fees, costs, and expenses are to be borne by the party that incurred them.

Dated this ____ day of _____, 2013.

United States District Judge